

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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PAUL BRIDGEWATER,

Plaintiff,

v.

Case No. 07-CV-12143-DT

CAPITAL ONE, FSB,

Defendant.

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**ORDER OF DISMISSAL**

On May 17, 2007, Plaintiff Paul Bridgewater filed a complaint against Defendant Capital One in this court. Plaintiff's complaint alleges that Defendant violated various federal laws when it attempted to collect on an outstanding debt, and asserts subject matter jurisdiction pursuant to 28 U.S.C. § 1331. On June 18, 2007, the court ordered Plaintiff to show cause why his case should not be dismissed in light of the apparent earlier resolved, or yet on-going, state court case.<sup>1</sup> It appeared possible, if not likely to the court that it lacked subject matter jurisdiction over this case under the *Rooker-Feldman* doctrine. See *Gottfried v. Med. Planning Serve., Inc.*, 142 F.3d 323, 330 (6th Cir. 1998). Under the *Rooker-Feldman* doctrine, inferior federal courts lack the authority to perform appellate review of state court decisions. See, e.g., *Hart v. Comerica Bank*, 957 F. Supp. 958, 968-70 (E.D. Mich. 1997) (describing the *Rooker-Feldman* doctrine).

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<sup>1</sup>In the first sentence of his complaint Plaintiff states that "[t]his controversy was originally filed in Michigan Courts but has raised questions concerning the powers and/or immunity of the U.S. Government." (Pl.'s Compl. at 1.) Plaintiff makes no further mention of this state court proceeding in his complaint.

Alternatively, it was possible that this case may be subject to dismissal under *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976). In *Colorado River*, the Supreme Court held that federal courts may abstain from hearing a case solely because similar pending state court litigation exists. *Colorado River*, 424 U.S. at 817; *Romine v. Compuserve Inc.*, 160 F.3d 337, 339 (6th Cir. 1998).

Thus, the court ordered Plaintiff to show cause why the case should not be dismissed under either the *Rooker-Feldman* or *Colorado River* doctrines. The court specifically warned that “[f]ailure to respond will result in a dismissal of this action.” (6/18/07 Order at 2.) Despite this warning, Plaintiff has failed to timely respond to the court’s June 18, 2007 order, and has therefore failed to persuade the court that it has subject matter jurisdiction over this action. Accordingly,

IT IS ORDERED that this matter is DISMISSED for the reasons stated in the court’s June 18, 2007 order.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: June 29, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 29, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522